



CANNON BUILDING  
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STATE OF DELAWARE  
**DEPARTMENT OF STATE**

DIVISION OF PROFESSIONAL REGULATION

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<b>PUBLIC MEETING MINUTES:</b>	<b>BOARD OF ARCHITECTS</b>
<b>MEETING DATE AND TIME:</b>	<b>Wednesday, November 7, 2012 at 1:30 p.m.</b>
<b>PLACE:</b>	<b>861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware</b>
<b>MINUTES APPROVED:</b>	<b>December 5, 2012</b>

**MEMBERS PRESENT**

Joseph Schorah, Public Member, Secretary  
Peter H. Jennings, RA, Professional Member  
Richard Wertz, RA, Professional Member  
Kevin Wilson, RA, Professional Member  
John Mateyko, RA, Professional Member  
Prameela Kaza, Public Member  
Brian Lewis, Public Member  
Elizabeth Happoldt, Public Member (Entered at 2:35 p.m.)

**DIVISION STAFF/DEPUTY ATTORNEY GENERAL**

Andrew Kerber, Deputy Attorney General (Entered at 1:58 p.m.)  
Meaghan Jerman, Administrative Specialist II  
Michele Howard, Administrative Specialist II  
Pamela Zickafoose, DPR Executive Director, Team A

**ABSENT**

Kenneth Freemark, RA, Professional Member, President

**OTHERS PRESENT**

Michael Wheedleton, Delaware Technical and Community College  
Patrick Ryan, Delaware Technical and Community College  
Bobbi Barends, Delaware Technical and Community College  
Ileana Smith, Delaware Technical and Community College  
David Pederson, Delaware Technical and Community College  
Doug Hicks, Delaware Technical and Community College  
Jeff Wolf

**Call to Order**

Mr. Jennings called the meeting to order at 1:30 p.m.

### **Review and Approval of Minutes**

The Board reviewed the minutes of the October 3, 2012 meeting. Mr. Wertz made a motion to accept the minutes as submitted, seconded by Mr. Schorah. The motion carried unanimously.

### **Unfinished Business**

#### **Student Capstone Projects**

Delaware Technical and Community College (DTCC) presented a power point presentation to the Board on the Architectural Engineering Technology (AET) Service Learning Proposal. Ms. Ileana Smith, Vice President and Owens Campus Director, introduced the Delaware Technical Community College faculty and staff who were present. Mr. Patrick Ryan, who is a member of the AET Industrial Advisory Committee at Delaware Tech, provided a historical overview of the Architectural Engineering Technology Student Capstone Project. Mr. Ryan referenced a letter that DTCC received from the Delaware Board of Architects in March 2010 that was in regards to concerns that the College was participating in the Unlawful Practice of Architecture. At that time it was brought to the Board's attention that the college was providing Instruments of Service prepared by students in the Architectural Engineering Technology and Engineering Design Drafting courses. The specific issues of the Board were that plans were not being prepared by a licensed architect, drawings were not sealed, and most notably the delivery of the course product to the public was of significant concern.

Mr. Ryan summarized immediate changes made by DTCC to address the Board of Architects concerns. These changes include: adding language to multiple course syllabi as a measureable performance objective: "Define the role of the architectural engineering technician in the contact of working with architects, engineers, and other licensed professionals", developing hypothetical college projects, creating Building Information Models of existing College buildings from construction drawings and field measurements, inviting building industry guest speakers including architects, engineers, and other professionals, organizing field trips to notable buildings, and working with architects on AET Advisory Committee to develop a proposal to reinstate student community projects in compliance with state law using a service learning model.

Mr. David Pederson, R.A., ET Instructional Coordinator and AET Lead at DTCC addressed the Board. Mr. Pederson explained that future AET projects would be Service Learning models developed with non-profit organizations under the supervision of a licensed architect in Delaware. Mr. Schorah inquired if the drawings will also be signed and sealed. Mr. Ryan clarified that the school would not be going so far as to create construction documents which would require that they are sealed. Mr. Schorah pointed out that one of the major concerns is once the documents leave the custody of the College there is uncertainty about how the documents will be utilized. Mr. Pederson explained interested non-profits will apply for selection annually and will enter into a written agreement with the organization that will specify the scope of the project. Furthermore, Mr. Pederson explained that the written agreement and title block will contain language that designs and drawings are for conceptual purposes only and they shall not be used for permitting, agency review, or construction. Typical deliverables may include documentation of existing facilities, determination of organizational needs, preparation of conceptual designs, development of initial cost estimates, and the creation of presentation materials such as schematic and design development drawings, models, and renderings, Power Points and written project documentation.

Mr. Ryan specifically addressed the Board of Architects concerns as noted in the March 3, 2010 letter regarding the Unlawful Practice of Architecture. Mr. Ryan stated that Mr. Pederson, as a licensed architect in Delaware, will provide appropriate responsible control of all activities as it relates to providing instruments of service prepared by students. Mr. Ryan continued that the written agreement and title block will address the delivery of the course product to the public, and

that technical submissions, as will be created by the college, are not normally signed and sealed. Mr. Ryan stated that in accordance with 24 *Del.C.* § 303(b)(1) Mr. Pederson will supervise all students and work directly with the public. DTCC staff referred the Board to Section 7.5.2 of the Rules and Regulations as it pertains to the students that will be under Mr. Pederson's supervision.

Board members were provided an opportunity to ask questions and express their concerns about the program to the DTCC staff members that were present. DTCC staff encouraged Board members to provide feedback and shared that they were open to all suggestions.

Mr. Mateyko inquired if DTCC would consider dividing their students per semester into two or more teams of students as this is the essence of architecture school and he feels a pivotal component to the learning experience. Ms. Smith assured the Board that this is something that they are already doing, and that they agree this is a beneficial way to showing the students that ideas can differ. Mr. Schorah expressed concern with Building Information Modeling (BIM) as it puts the product very close to being complete and an active product. Mr. Ryan assured the Board that this is something they would also like to discuss with the Board to determine a definitive place to draw the line on the product. Ms. Barends, Delaware Technical and Community College Dean of Instruction, added that DTCC began using BIM to address the Board's initial concerns to provide students with an alternative plan. Ms. Barends states that she does not know that using BIM is part of their proposal moving forward.

Mr. Schorah shared that as he was a part of the Board two years ago who had the initial concern with the DTCC program, he wanted to ensure that the current Board was aware of all previous concerns, one of which included the possibility that many organizations could seek services from the college therefore affecting the overall architectural industry in Delaware. DTCC assured the Board that they are looking to only work with one organization per year.

Ms. Smith stated that DTCC is requesting the Board's guidance on further developing the Service Learning program. The college is looking to reinstate the program in fall of 2013 and will need to begin developing curriculum in February of 2013. DTCC is requesting that the Board provide approval of the program by February 2013. Mr. Jennings inquired if the Board should consider entering into a Memorandum of Understanding (MOU) with DTCC and consider forming a committee consisting of 2-3 Board members, the Board Attorney, and 2-3 DTCC staff to further discuss what will be included within the MOU. Mr. Kerber agreed that an MOU would be an appropriate step for the Board. Ms. Smith stated that the College would be very receptive to this idea and they will wait for the Board's direction as to how to proceed. Further contact will be made with Ms. Smith to outline plans moving forward.

#### Review of Draft Legislation

Mr. Kerber provided a draft bill that makes the changes recommended by the Board to 24 *Del.C.* §307(a)(2). This legislation eliminates the requirement of an applicant for initial registration as an architect shall have completed a minimum of 3 years of practical training in architectural work prior to applying for registration. This change is consistent with the current national standards of the National Council of Architectural Registration Boards. This legislation also eliminates a reference to prior amendment to this section that no longer has any application. Mr. Wertz made a motion to accept the draft legislation amending 24 *Del.C.* §307(a)(2), as presented by Mr. Kerber, seconded by Mr. Schorah. The motion carried unanimously.

#### Re-Review of Reciprocity Application by NCARB – Geoffrey Chevlin

Mr. Wertz re-reviewed Mr. Chevlin's application for licensure. Mr. Chevlin does have an active Kentucky license and did disclose that he had previous discipline in another jurisdiction on his

application. Mr. Wertz made a motion to approve Mr. Chevlin's application, seconded by Mr. Schorah. The motion carried unanimously.

**New Business**

**New Complaints Assigned to a Contact Person**

None

**Ratification of Certificate of Authorization Applications**

Mr. Schorah made a motion to ratify the certificate of authorization issued to The S/L/A/M Collaborative, Inc., seconded by Mr. Mateyko. The motion carried unanimously.

**Ratification of Reciprocity Applications – NCARB Certificate**

Mr. Schorah made a motion, seconded by Mr. Wertz, to ratify the listing of issued licenses to NCARB Certified architects by reciprocity. The motion carried unanimously.

Anat Mor  
Scott Gardner  
Rene Mueller  
John Chudovan

Gary Getz  
Philip Belanger  
Michael Crary  
Jeremy Berg

Richard Deskie  
Danny Barber  
Morgan Helfrich

**Review of Reciprocity Application by NCARB for Matthew Molsberry – Discipline in KY**

Mr. Wilson reviewed the application of Matthew Molsberry and stated that Mr. Molsberry was cited for approximately seven violations related to work completed in Kentucky prior to licensure. Mr. Molsberry is currently licensed in most states, including Kentucky. Mr. Wilson made a motion, seconded by Mr. Schorah to approve Mr. Molsberry's application for licensure. The motion carried unanimously.

**Review of Reciprocity Application by NCARB for David Dial – Discipline in FL**

Mr. Jennings reviewed that application of David Dial. Mr. Dial indicated on his application for licensure in Delaware that he had recently been denied licensure in the state of Alabama as he failed to disclose previous disciplinary action. Additionally, the disciplinary action that he received in Florida was "failure to provide the Board proof of completion of the core curriculum courses, or pass the equivalency test of the Building Code Training program by May 31, 2003 or within 2 years after your initial licensure, whichever was later". The Board tabled the application for additional information on the current status of his license in both Alabama and Florida. Ms. Jerman will contact each respective Board for further information.

**Review of Reciprocity Application by NCARB for Brian Fabo – Discipline in Ohio, Pennsylvania, and Illinois**

Mr. Jennings reviewed the application of Brian Fabo. Mr. Fabo received discipline in Pennsylvania and Illinois as he disclosed he had previous discipline in Ohio. Mr. Schorah made a motion, seconded by Ms. Happoldt to approve Mr. Fabo's application for licensure. The motion carried unanimously.

**Review of Direct Application by Reciprocity – Jeffrey Wolf**

Mr. Wertz reviewed Mr. Wolf's application and stated that his application was completed and ready for licensure. Mr. Wertz made a motion, seconded by Mr. Schorah to approve Mr. Wolf's application for licensure. The motion carried unanimously.

**Review of Application to Sit for ARE Exam – Jason Maquire**

Mr. Wertz reviewed the application to sit for the ARE exam for Jason Maquire. Mr. Wertz made a motion to approve Mr. Maquire to sit for the ARE exam as his application was complete and he met all of the requirements for examination, seconded by Ms. Happoldt. The motion carried unanimously.

**Other Business Before the Board (for discussion only)**

Mr. Schorah made a motion, seconded by Mr. Wertz to amend the agenda to discuss provisional licenses for military spouses.

House Bill 238 simplifies the process for a military spouse to reinstate or apply for licensure in Delaware and allows them to apply for a provisional license while their license application is pending. Mr. Kerber explained that “the spouse of the qualifying person must be the holder of an active license or permit in good standing in another State, District of Columbia, or territory of the United States in which the requirements for licensure or certification are substantially similar to this State, with no unresolved complaint, review procedure, or disciplinary proceeding.” Board members were assured that the Division of Professional Regulation has a procedure in place to ensure that a provisional license is issued only after all requirements are met.

There was no other business before the Board.

**Public Comment**

There was no public comment.

**Executive Session**

Mr. Wertz made a motion, seconded by Mr. Mateyko to enter into Executive Session to discuss potential litigation. The Board entered into Executive Session at 3:45 p.m. The Board exited Executive Session at 3:55 p.m.

**Continued Discussion on DTCC Capstone Project**

Mr. Wertz proposed that the Board designate committee members to meet with DTCC staff to further discuss criteria for their Capstone Project. Mr. Wertz and Mr. Jennings volunteered to be members of this committee. Mr. Schorah and Mr. Mateyko also volunteered to participate on the committee. Mr. Jennings stated that he would like to limit the committee to 3 Board members. Mr. Schorah agreed Mr. Mateyko could participate as the third member, assuming the Committee was aware of Mr. Schorah's concerns with the program. There was discussion as to whether this committee meeting needed to be held in public as there would only be three Board members participating and that the meeting was more of a “business meeting or working group” with DTCC. Mr. Kerber advised that he would discuss the issue with the Deputy Attorney General responsible for FOIA and advise the Board.

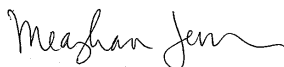
**Next Scheduled Meeting**

The next meeting will be held on December 5, 2012 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

**Adjournment**

With no further business before the board, Mr. Mateyko made a motion to adjourn the public meeting, seconded by Mr. Schorah. The motion carried unanimously. The meeting adjourned at 4:00 p.m.

Respectfully submitted,



Meaghan Jerman  
Administrative Specialist II